

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

GEORGE HEDICK JR., Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

THE KRAFT HEINZ COMPANY,
BERNARDO HEES, PAULO BASILIO, and
DAVID H. KNOPF,

Defendants.

Case No. 1:19-cv-01339

Honorable Robert M. Dow Jr.

[Additional captions on following page.]

**MOTION OF SJUNDE AP-FONDEN AND UNION ASSET MANAGEMENT
HOLDING AG TO CONDUCT LIMITED DISCOVERY**

IRON WORKERS DISTRICT COUNCIL
(PHILADELPHIA AND VICINITY)
RETIREMENT AND PENSION PLAN,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

THE KRAFT HEINZ COMPANY,
BERNARDO HEES, PAULO BASILIO,
DAVID H. KNOPF, GEORGE EL-ZOGHBI,
CHRISTOPHER R. SKINGER, VINCE
GARLATI, and 3G CAPITAL INC.,

Defendants.

Case No. 1:19-cv-01845

Honorable Robert M. Dow Jr.

TIMBER HILL LLC, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

THE KRAFT HEINZ COMPANY,
BERNARDO HEES, PAULO BASILIO,
DAVID H. KNOPF, GEORGE EL-ZOGHBI,
CHRISTOPHER R. SKINGER, VINCE
GARLATI, ALEX BEHRING, and 3G
CAPITAL INC.,

Defendants.

Case No. 1:19-cv-02807

Honorable Robert M. Dow Jr.

Putative class members Sjunde AP-Fonden (“AP7”) and Union Asset Management Holding AG (“Union”) hereby move this Court for entry of an Order: (1) requiring the New York Group to produce highly relevant information that is referenced in its briefing; and (2) allowing AP7 and Union to provide the parties’ unredacted correspondence cited in ECF No. 88 at 2 n.3 to the Court.¹

This Motion is made on the grounds that a reasonable basis exists for finding that the New York Group is incapable of adequately representing the class in this action. Specifically, the New York Group has failed to demonstrate that it has standing to assert claims on shares purchased through commingled funds, and has failed to provide any support for its claim that it would still have the largest financial interest if losses on those shares were omitted. The New York Group also engaged in large matching transactions, the nature of which it has failed to explain, which subject it to unique defenses regarding its standing.

AP7 and Union respectfully request oral argument.

This Motion is supported by the accompanying Memorandum of Law, the Declaration of Avi Josefson and exhibits annexed thereto, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court.

WHEREFORE, AP7 and Union respectfully request that the Court: (1) require the New York Group to produce highly relevant information that is referenced in its briefing; and (2) allow AP7 and Union to provide the parties’ unredacted correspondence cited in ECF No. 88 at 2 n.3 to the Court.

¹ The New York Group includes: the Employees’ Retirement System, the Police Pension Fund, the Board of Education Retirement System, the Teachers’ Retirement System, the Fire Department Pension Fund, the Fire Officers’ Variable Supplements Fund, the Fire Fighters’ Variable Supplements Fund, the Police Officers’ Variable Supplement Fund, the Police Superior Officers’ Variable Supplement Fund, the Fire Department Life Insurance Fund, and the Teachers’ Retirement System Variable Annuity Program.

Dated: May 24, 2019

Respectfully Submitted,

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

/s/ Avi Josefson

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